



# Department of the Treasury

2015 Freedom of Information Act Annual Report



## 2015 Freedom of Information Act Annual Report to the Attorney General of the United States

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**I. BASIC INFORMATION REGARDING THIS REPORT**

1. Questions regarding this report may be directed to:

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Department of the Treasury  
Washington, DC 20220

2. This report is publicly available and can be downloaded from the Treasury website at [www.treasury.gov/foia](http://www.treasury.gov/foia).
3. Paper copies of this report may be obtained by contacting the Office of Privacy, Transparency, and Records at the address above.

## II. MAKING A FOIA REQUEST

1. The current names, addresses, and contact information for Treasury's FOIA Officers can be found on our website at [www.treasury.gov/foia](http://www.treasury.gov/foia).

Departmental Offices (DO)  
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Department of the Treasury  
Washington, DC 20220  
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(202) 622-3895 Fax

Alcohol and Tobacco Tax and  
Trade Bureau (TTB)  
Mr. Quinton Mason  
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Washington, DC 20005  
(202) 882-9904 Phone  
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Bureau of Engraving and Printing  
(BEP)  
Disclosure Officer  
Office of the Chief Counsel  
FOIA and Transparency  
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(202) 874-2951 Fax

Bureau of the Fiscal Service (Fiscal  
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Nelson  
Disclosure Office  
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Washington, DC 20227  
(202) 874-5602 Phone  
(202) 874-2391 Fax

Office of the Comptroller of the  
Currency (OCC)  
Mr. Frank Vance  
Disclosure Services  
400 7<sup>th</sup> Street, S.W.  
Suite 3E-218, Mail Stop 6W-11  
Washington, DC 20219  
(202) 649-6758 Phone

Financial Crimes Enforcement  
Network (FinCen)  
Mr. Gilbert Paist  
ATTN: FOIA Request  
P.O. Box 39  
Vienna, VA 22183  
(703) 905-3537 Phone  
(703) 905-5126 Fax

Internal Revenue Service (IRS)  
Disclosure Manager  
HQ FOIA & Program Operations  
ATTN: IRS FOIA Request  
HQ FOIA, Stop 211  
PO Box 621506  
Atlanta, GA 30362-3006  
(801) 620-7638 Phone

United States Mint (Mint)  
Ms. Kathleen Saunders-Mitchell  
ATTN: FOIA Request  
801 9<sup>th</sup> Street, N.W., 8<sup>th</sup> Floor  
Washington, DC 20220  
(202) 756-6153 Phone  
(202) 354-4600 Fax

Treasury Inspector General for Tax Administration (TIGTA)  
Ms. Amy Jones  
ATTN: FOIA Request  
TIGTA Chief Counsel  
1401 H Street, N.W., Suite 469  
Washington, DC 20005  
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## **2. Brief description of why requests are not granted**

The Treasury Department may not grant full access to records because of several reasons. Some records are specifically exempt from disclosure pursuant to statute, such as records that contain Bank Secrecy Act information or certain tax return information. This information falls within the scope of Exemption 3. Other records and information that are obtained from private businesses and submitted in confidence or that contain proprietary information fall within the scope of Exemption 4. Internal agency communications representing the pre-decisional process; attorney work product; or attorney-client records fall within the scope of Exemption 5. Private information obtained from individuals fall within the scope of Exemptions 6 and/or 7(C). Treasury also cites Exemption 7(E) to protect information that would disclose techniques and procedures for law enforcement investigations or prosecutions or would disclose guidelines for law enforcement investigations or prosecutions if such disclosure could be expected to risk circumvention of the law. Finally, Treasury protects information and records contained in or related to the examination or the supervision of financial institutions under the authority of Exemption 8.

### III. ACRONYMS, DEFINITIONS, AND EXEMPTIONS

#### 1. Agency-specific acronyms used in this Report:

Component Abbreviation	Component Name
BEP	Bureau of Engraving and Printing
DO <sup>1</sup>	Departmental Offices
FinCEN	Financial Crimes Enforcement Network
Fiscal Service <sup>2</sup>	Bureau of the Fiscal Service
IRS	Internal Revenue Service
MINT	United States Mint
OCC	Office of the Comptroller of the Currency
TIGTA	Treasury Inspector General for Tax Administration
TTB	Alcohol Tobacco Tax and Trade Bureau

#### 2. Basic terms used in this Report

- a. **Administrative Appeal** – a request to a federal agency asking that it review at a higher administrative level a FOIA determination made by the agency at the initial request level.
- b. **Average Number** – the number obtained by dividing the sum of a group of numbers by the quantity of numbers in the group. For example, of 3, 7, and 14, the average number is 8.
- c. **Backlog** – the number of requests or administrative appeals that are pending at an agency at the end of the fiscal year that are beyond the statutory time period for a response.
- d. **Component** – for agencies that process requests on a decentralized basis, a “component” is an entity, also sometimes referred to as an Office, Division, Bureau,

<sup>1</sup> DO includes the Offices of Domestic Finance, Economic Policy, Financial Research, General Counsel, International Affairs, Legislative Affairs, Management, Public Affairs, Tax Policy, Terrorism and Financial Intelligence, and the Treasurer of the United States. DO statistics in this report also include requests made to the Financial Stability Oversight Council, an entity chaired by the Secretary of the Treasury.

<sup>2</sup> In 2013, the Bureau of the Public Debt and the Financial Management Service were consolidated to create the Bureau of the Fiscal Service. In FY2013, BPD and FMS were reported separately.

Center, or Directorate, within the agency that processes FOIA requests. The FOIA now requires that agencies include in their Annual FOIA Report data for both the agency overall and for each principal component of the agency.

- e. **Consultation** – the procedure whereby the agency responding to a FOIA request first forwards a record to another agency for its review because that other agency has an interest in the document. Once the agency in receipt of the consultation finishes its review of the record, it responds back to the agency that forwarded it. That agency, in turn, will then respond to the FOIA requester.
- f. **Exemption 3 Statute** – a federal statute that exempts information from disclosure and which the agency relies on to withhold information under subsection (b)(3) of the FOIA.
- g. **FOIA Request** – a FOIA request is generally a request to a federal agency for access to records concerning another person (i.e., a “third-party” request), or concerning an organization, or a particular topic of interest. FOIA requests also include requests made by requesters seeking records concerning themselves (i.e., “first-party” requests) when those requesters are not subject to the Privacy Act, such as non-U.S. citizens. Moreover, because all first-party requesters should be afforded the benefit of both the access provisions of the FOIA as well as those of the Privacy Act, FOIA requests also include any first-party requests where an agency determines that it must search beyond its Privacy Act “systems of records” or where a Privacy Act exemption applies, and the agency looks to FOIA to afford the greatest possible access. All requests which require the agency to utilize the FOIA in responding to the requester are included in this Report. Additionally, a FOIA request includes records referred to the agency for processing and direct response to the requester. It does not however, include records for which the agency has received a consultation from another agency (Consultations are reported separately in Section XII of this Report).
- h. **Full Grant** – an agency decision to disclose all records in full in response to a FOIA request.
- i. **Full Denial** – an agency decision not to release any records in response to a FOIA request because the records are exempt in their entirety under one or more of the FOIA exemptions, or because of a procedural reason, such as when no records could be located.
- j. **Median Number** – the middle, not average, number. For example, of 3, 7, and 14, the median number is 7.
- k. **Multi-track processing** – a system in which simple requests requiring relatively minimal review are placed in one processing track and more voluminous and complex requests are placed in one or more other tracks. Requests granted expedited processing are

placed in yet another track. Requests in each track are processed on a first in/first out basis.

- i. **Expedited processing** – an agency will process a FOIA request on an expedited basis when a requester satisfies the requirements for expedited processing as set forth in the statute and in agency regulations.
  - ii. **Simple request** – a FOIA request that an agency using multi-track processing places in its fastest (non-expedited) track based on the low volume and/or simplicity of the records requested.
  - iii. **Complex request** – a FOIA request that an agency using multi-track processing places in a slower track based on the high volume and/or complexity of the records requested.
- l. **Partial Grant/Partial Denial** – in response to a FOIA request, an agency decision to disclose portions of the records and to withhold other portions that are exempt under the FOIA, or to otherwise deny a portion of the request for a procedural reason.
  - m. **Pending Request or Pending Administrative Appeal** – a request or administrative appeal for which an agency has not taken final action in all respects.
  - n. **Perfected Request** – a request for records which reasonably describes such records and is made in accordance with published rules stating the time, place, fees (if any) and procedures to be followed.
  - o. **Processed Request or Processed Administrative Appeal** – a request or administrative appeal for which an agency has taken final action in all respects.
  - p. **Range in Number of Days** – the lowest and highest number of days to process requests or administrative appeals.
  - q. **Time Limits** – the time period in the statute for an agency to respond to a FOIA request (ordinarily 20 working days from receipt of a "perfected" FOIA request).



### 3. Descriptions of the nine FOIA Exemptions:

- a. **Exemption 1:** classified national defense and foreign relations information
- b. **Exemption 2:** information that is related solely to the internal rules and practices of an agency
- c. **Exemption 3:** information that is prohibited from disclosure by another federal law
- d. **Exemption 4:** trade secrets and other confidential business information
- e. **Exemption 5:** inter-agency or intra-agency communications that are protected by legal privileges
- f. **Exemption 6:** information involving matters of personal privacy
- g. **Exemption 7:** records or information compiled for law enforcement purposes, to the extent that the production of those records (A) could reasonably be expected to interfere with enforcement proceedings, (B) would deprive a person of a right to a fair trial or an impartial adjudication, (C) could reasonably be expected to constitute an unwarranted invasion of personal privacy, (D) could reasonably be expected to disclose the identity of a confidential source, (E) would disclose techniques and procedures for law enforcement investigations or prosecutions, or would disclose guidelines for law enforcement investigations or prosecutions, or (F) could reasonably be expected to endanger the life or physical safety of any individual
- h. **Exemption 8:** information relating to the regulation or supervision of financial institutions
- i. **Exemption 9:** geological information on wells

**IV. EXEMPTION 3 STATUTES**

Statute	Type of Information Withheld	Case Citation	Agency / Component	Number of Times Relied upon by Agency / Component	Total Number of Times Relied upon by Agency Overall
26 U.S.C. § 6103	Certain tax return information and certain tax convention information	Church of Scientology v. IRS, 484 U.S. 9,15 (1987); Pac. Fisheries, Inc. v. IRS, 395 F. App'x. 438, 440 (9th Cir. 2010) (unpublished disposition).	Fiscal Service	28	2,668
			DO	18	
			TTB	14	
			OCC	1	
			TIGTA	36	
			IRS	2,571	

31 U.S.C. § 5319	Reports pertaining to monetary instruments transactions filed under subchapter II of chapter 53 of title 31 and records of those reports	Hulstein v. DEA, No. 10-4112, 2011 U.S. Dist. LEXIS 25788, at *7-8 (N.D. Iowa Mar. 11, 2011); Berger v. IRS, 487 F. Supp. 2d 482, 496-97 (D.N.J. 2007), aff'd on other grounds, 288 F. App'x 829 (3d Cir. 2008); Sciba v. Bd. of Governors of the Fed. Reserve Sys., No. 04-1011, 2005 WL 3201206, at *6 (D.D.C. Nov. 4, 2005).	DO	1	484
			FinCEN	385	
			OCC	1	
			TIGTA	1	
			IRS	96	
41 U.S.C. § 253b(m)(1) (currently at 41 U.S.C. § 4702)	Contractor proposals that are in the possession or control of an executive agency and that have not been set forth or incorporated by reference into contracts.	Sinkfield v. HUD, No. 10-885, 2012 U.S. Dist. LEXIS 35233, at *13-15 (S.D. Ohio Mar. 15, 2012); Hornbostel v. U.S. Dep't of the Interior, 305 F. Supp. 2d 21, 30 (D.D.C. 2003), summary affirmance granted, No. 03-5257, 2004 WL 1900562 (D.C. Cir. Aug. 25, 2004).	BEP	1	4
			FinCEN	1	
			Mint	1	
			IRS	1	
21 U.S.C. § 1904(e)(3)	Information related to foreign narcotics traffickers		DO	10	10

10 U.S.C. § 424	Organization or any function of, and certain information pertaining to, employees of the Defense Intelligence Agency, the National Reconnaissance Office, and the National Geospatial Intelligence Agency.	Physicians for Human Rights v. DOD, No. RDB-08-273, 2011 WL 1495942, at *7 (D.D.C. Apr. 19, 2011); Miller v. DOJ, 562 F. Supp. 2d 82, 112 (D.D.C. 2008); Wickwire Gavin, P.C. v. Def. Intelligence Agency, 330 F. Supp. 2d 592, 602 (E.D. Va. 2004).	DO	2	2
50 U.S.C. app. § 2170(c)	Information or documentary material filed with the Committee on Foreign Investment in the United States		DO	3	3
26 U.S.C. § 6105	Certain tax return information and certain tax convention information	Church of Scientology v. IRS, 484 U.S. 9, 15 (1987); Pac. Fisheries, Inc. v. IRS, 395 F. App'x. 438, 440 (9th Cir. 2010) (unpublished disposition) (26 U.S.C. §§ 6103, 6105); Tax Analysts v. IRS, 217 F. Supp. 2d 23, 27-29 (D.D.C. 2002).	IRS	51	51

18 U.S.C. § 701	Establishes penalties for: manufacturing, selling, or possessing "any badge, identification card, or other insignia, of the design prescribed by the head of any department or agency of the United States for use by any officer or employee thereof, or any colorable imitation thereof"; and photographing, printing, making, or executing "any engraving, photograph, print, or impression in the likeness of any such badge, identification card, or other insignia, or any colorable imitation thereof"	Jones v. IRS, No. 06-CV-322, 2008 WL 1901208, at *3-4 (W.D. Mich. Apr. 25, 2008).	IRS	11	11
Fed. R. Crim. P. 6(e), enacted by Act of July 30, 1977, Pub. L. No. 95-78, 91 Stat. 319	Certain records pertaining to grand jury proceedings	Sussman v. USMS, 494 F.3d 1106, 1113 (D.C. Cir. 2007); Fund for Constitutional Gov't v. Nat'l Archives & Records Serv., 656 F.2d 856, 867-68 (D.C. Cir. 1981); Durham v. U.S. Atty. Gen., No. 06-843, 2008 WL 620744, at *2 (E.D. Tex. Mar. 3, 2008); Cozen O'Connor v. U.S. Dep't of Treasury, 570 F. Supp. 2d 749, 776 (E.D. Pa. 2008).	IRS	13	15
			TIGTA	2	

**V.A. FOIA REQUESTS -- RECEIVED, PROCESSED AND PENDING FOIA REQUESTS**

Agency / Component	Number of Requests Pending as of Start of Fiscal Year <sup>3</sup>	Number of Requests Received in Fiscal Year	Number of Requests Processed in Fiscal Year	Number of Requests Pending as of End of Fiscal Year
BEP	9	82	83	8
DO	298	771	627	442
FinCEN	11	392	390	13
Fiscal Service	13	327	327	13
IRS	1,118	10,197	10,416	899
MINT	1	95	96	0
OCC	78	1,638	1,634	82
TIGTA	18	312	308	22
TTB	1	108	106	3
AGENCY OVERALL	1,547	13,922	13,987	1,482

<sup>3</sup> The number of requests pending at the start of the fiscal year was updated from last year's report for DO, FinCEN, Fiscal Service, IRS, Mint, and TIGTA: DO increased by eight, FinCEN increased by three, Fiscal Service increased by five, IRS increased by 14, Mint increased by one, and TIGTA decreased by three.

**V.B.(1). DISPOSITION OF FOIA REQUESTS -- ALL PROCESSED REQUESTS**

Agency / Component	Number of Full Grants	Number of Partial Grants / Partial Denials	Number of Full Denials Based on Exemptions	Number of Full Denials Based on Reasons Other than Exemptions									TOTAL
				No Records	All Records Referred to Another Component or Agency	Request Withdrawn	Fee-Related Reason	Records not Reasonably Described	Improper FOIA Request for Other Reason	Not Agency Record	Duplicate Request	Other *Explain in Chart Below	
BEP	25	22	1	10	0	2	2	0	19	0	2	0	83
DO	94	129	21	115	111	16	11	61	19	40	10	0	627
FinCEN	16	68	235	42	1	6	0	4	7	4	7	0	390
Fiscal Service	45	88	2	54	5	58	1	1	11	54	8	0	327
IRS	3,337	2,708	117	983	11	171	135	540	1,975	29	395	15	10,416
MINT	34	6	3	29	1	1	5	4	8	1	3	1	96
OCC	1,281	74	24	52	1	44	7	13	40	64	34	0	1,634
TIGTA	37	96	21	27	34	8	0	0	53	25	7	0	308
TTB	23	28	17	17	2	7	2	6	1	1	2	0	106
AGENCY OVERALL	4,892	3,219	441	1,329	166	313	163	629	2,133	218	468	16	13,987

**V.B.(2). DISPOSITION OF FOIA REQUESTS -- "OTHER" REASONS FOR "FULL DENIALS BASED ON REASONS OTHER THAN EXEMPTIONS"**

Agency / Component	Description of "Other" Reasons for Denials from Chart B(1)	Number of Times "Other" Reason Was Relied Upon	TOTAL
BEP	N/A	0	0
DO	N/A	0	0
FinCEN	N/A	0	0
Fiscal Service	N/A	0	0
IRS	Closed in Litigation	15	15
MINT	Closed in Litigation	1	1
OCC	N/A	0	0
TIGTA	N/A	0	0
TTB	N/A	0	0
AGENCY OVERALL			16



**V.B.(3). DISPOSITION OF FOIA REQUESTS -- NUMBER OF TIMES EXEMPTIONS APPLIED**

Agency / Component	Ex. 1	Ex. 2	Ex. 3	Ex. 4	Ex. 5	Ex. 6	Ex. 7(A)	Ex. 7(B)	Ex. 7(C)	Ex. 7(D)	Ex. 7(E)	Ex. 7(F)	Ex. 8	Ex. 9
BEP	0	0	1	12	11	20	0	0	0	0	0	0	0	0
DO	19	4	41	112	121	234	18	1	85	1	8	1	8	0
FinCEN	0	1	386	7	15	27	3	0	40	9	59	0	4	0
Fiscal Service	0	1	31	22	4	82	0	0	0	0	6	0	0	0
IRS	0	5	2,591	23	601	465	532	0	965	22	1,269	7	0	0
MINT	0	1	1	7	4	13	0	0	0	0	2	1	0	0
OCC	0	5	1	51	27	57	2	0	15	0	1	0	59	0
TIGTA	0	2	37	2	15	98	8	0	89	5	8	1	0	0
TTB	0	1	15	9	6	15	0	0	1	1	0	0	0	0
AGENCY OVERALL	19	20	3,104	245	804	1,011	563	1	1,195	38	1,353	10	71	0

**VI.A. ADMINISTRATIVE APPEALS OF INITIAL DETERMINATIONS OF FOIA REQUESTS -- RECEIVED, PROCESSED, AND PENDING ADMINISTRATIVE APPEALS**

Agency / Component	Number of Appeals Pending as of Start of Fiscal Year <sup>4</sup>	Number of Appeals Received in Fiscal Year	Number of Appeals Processed in Fiscal Year	Number of Appeals Pending as of End of Fiscal Year
BEP	0	4	4	0
DO	78	26	9	95
FinCEN	1	16	16	1
Fiscal Service	2	18	17	3
IRS	9	236	240	5
MINT	0	2	2	0
OCC	9	10	18	1
TIGTA	3	20	21	2
TTB	4	0	0	4
AGENCY OVERALL	106	332	327	111

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<sup>4</sup> The number of appeals pending at the start of the fiscal year was updated from last year's report for DO, FinCEN, TIGTA, and TTB: DO increased by 13, FinCEN decreased by three, TIGTA decreased by one, and TTB increased by four.

**VI.B. DISPOSITION OF ADMINISTRATIVE APPEALS -- ALL PROCESSED APPEALS**

Agency / Component	Number Affirmed on Appeal	Number Partially Affirmed & Partially Reversed/Remanded on Appeal	Number Completely Reversed/Remanded on Appeal	Number of Appeals Closed for Other Reasons	TOTAL
BEP	2	1	1	0	4
DO	4	1	2	2	9
FinCEN	14	1	0	1	16
Fiscal Service	16	1	0	0	17
IRS	226	0	4	10	240
MINT	2	0	0	0	2
OCC	3	2	2	11	18
TIGTA	16	4	1	0	21
TTB	0	0	0	0	0
AGENCY OVERALL	283	10	10	24	327

**VI.C.(1). REASONS FOR DENIAL ON APPEAL -- NUMBER OF TIMES EXEMPTIONS APPLIED**

Agency / Component	Ex. 1	Ex. 2	Ex. 3	Ex. 4	Ex. 5	Ex. 6	Ex. 7(A)	Ex. 7(B)	Ex. 7(C)	Ex. 7(D)	Ex. 7(E)	Ex. 7(F)	Ex. 8	Ex. 9
BEP	0	0	0	0	1	0	0	0	0	0	0	0	0	0
DO	0	0	0	0	1	0	0	0	0	0	0	0	0	0
FinCEN	0	0	13	0	0	0	0	0	0	0	1	0	0	0
Fiscal Service	0	0	0	17	0	0	0	0	0	0	0	0	0	0
IRS	0	6	82	1	35	25	30	0	33	1	47	0	0	0
MINT	0	0	0	0	2	0	0	0	0	0	0	0	0	0
OCC	0	0	1	1	1	0	0	0	0	0	0	0	3	0
TIGTA	0	0	8	0	2	10	1	0	10	0	1	0	0	0
TTB	0	0	0	0	0	0	0	0	0	0	0	0	0	0
AGENCY OVERALL	0	6	104	19	42	35	31	0	43	1	49	0	3	0

**VI.C.(2). REASONS FOR DENIAL ON APPEAL -- REASONS OTHER THAN EXEMPTIONS**

Agency / Component	No Records	Records Referred at Initial Request Level	Request Withdrawn	Fee-Related Reason	Records not Reasonably Described	Improper Request for Other Reasons	Not Agency Record	Duplicate Request or Appeal	Request in Litigation	Appeal Based Solely on Denial of Request for Expedited Processing	Other *Explain in chart below
BEP	6	0	0	2	0	0	0	0	0	0	0
DO	2	0	1	3	0	0	0	0	0	1	1
FinCEN	0	0	1	0	0	0	0	0	0	0	0
Fiscal Service	0	0	0	0	0	0	0	0	0	0	0
IRS	12	0	0	18	0	0	0	1	2	0	0
MINT	0	0	0	0	0	0	0	0	0	0	0
OCC	0	0	0	0	0	0	0	8	0	0	3
TIGTA	2	0	0	0	0	0	0	0	0	0	0
TTB	0	0	0	0	0	0	0	0	0	0	0
AGENCY OVERALL	22	0	2	23	0	0	0	9	2	1	4

**VI.C.(3). REASONS FOR DENIAL ON APPEAL -- "OTHER" REASONS**

Agency / Component	Description of "Other" Reasons for Denial on Appeal from Chart C(2)	Number of Times "Other" Reason Was Relied Upon	TOTAL
BEP	N/A	0	0
DO	Moot	1	1
FinCEN	N/A	0	0
Fiscal Service	N/A	0	0
IRS	N/A	0	0
MINT	N/A	0	0
OCC	No Component Response to Adjudicate	2	3
	Moot	1	
TIGTA	N/A	0	0
TTB	N/A	0	0
AGENCY OVERALL			4

**VI.C.(4). RESPONSE TIME FOR ADMINISTRATIVE APPEALS**

Agency / Component	Median Number of Days	Average Number of Days	Lowest Number of Days	Highest Number of Days
BEP	18.00	18.00	16.00	20.00
DO	20.00	435.00	21.00	1,826.00
FinCEN	38.00	43.00	14.00	87.00
Fiscal Service	15.00	19.00	4.00	53.00
IRS	12.00	12.43	4.00	46.00
MINT	18.00	18.00	18.00	18.00
OCC	31.00	27.67	10.00	60.00
TIGTA	10.00	11.00	2.00	25.00
TTB	18.50	18.50	18.00	19.00
AGENCY OVERALL	12.00	62.54	0.00	1,826.00

**VI.C.(5). TEN OLDEST PENDING ADMINISTRATIVE APPEALS**

Agency / Component		10th Oldest Appeal	9th	8th	7th	6th	5th	4th	3rd	2nd	Oldest Appeal
BEP	Date of Appeal	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
	Number of Days Pending	0	0	0	0	0	0	0	0	0	0
DO	Date of Appeal	2010-04-06	2010-03-16	2010-03-16	2010-02-23	2010-02-02	2009-11-17	2009-11-09	2009-11-05	2009-04-29	2008-10-29
	Number of Days Pending	1379	1394	1394	1409	1423	1474	1479	1481	1613	1737
FinCEN	Date of Appeal	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	2015-09-30
	Number of Days Pending	0	0	0	0	0	0	0	0	0	45
Fiscal Service	Date of Appeal	N/A	N/A	N/A	N/A	N/A	N/A	N/A	2015-09-18	2013-01-17	2012-12-28
	Number of Days Pending	0	0	0	0	0	0	0	9	680	693
IRS	Date of Appeal	N/A	N/A	N/A	N/A	N/A	2015-09-28	2015-09-22	2015-09-22	2015-09-21	2015-09-08
	Number of Days Pending	0	0	0	0	0	2	6	6	7	16
MINT	Date of Appeal	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
	Number of Days Pending	0	0	0	0	0	0	0	0	0	0
OCC	Date of Appeal	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	2011-01-19
	Number of Days Pending	0	0	0	0	0	0	0	0	0	1181
TIGTA	Date of Appeal	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	2015-09-22	2015-09-15
	Number of Days Pending	0	0	0	0	0	0	0	0	6	11
TTB	Date of Appeal	N/A	N/A	N/A	N/A	N/A	N/A	2013-10-31	2012-05-27	2008-02-06	2004-10-19
	Number of Days Pending	0	0	0	0	0	0	481	840	1922	2771
AGENCY OVERALL	Date of Appeal	2010-03-16	2010-02-23	2010-02-02	2009-11-17	2009-11-09	2009-11-05	2009-04-29	2008-10-29	2008-02-06	2004-10-19
	Number of Days Pending	1394	1409	1423	1474	1479	1481	1613	1737	1922	2771



## VII.A. FOIA REQUESTS -- RESPONSE TIME FOR ALL PROCESSED PERFECTED REQUESTS

Agency / Component	SIMPLE				COMPLEX				EXPEDITED PROCESSING			
	Median Number of Days	Average Number of Days	Lowest Number of Days	Highest Number of Days	Median Number of Days	Average Number of Days	Lowest Number of Days	Highest Number of Days	Median Number of Days	Average Number of Days	Lowest Number of Days	Highest Number of Days
BEP	20	44	4	175	24	59	4	196	N/A	N/A	N/A	N/A
DO	5	23	1	547	87	199	1	3018	344	344	344	344
FinCEN	1	3	1	257	13	37	1	769	N/A	N/A	N/A	N/A
Fiscal Service	14	14	1	57	28	36	2	211	N/A	N/A	N/A	N/A
IRS	N/A	N/A	N/A	N/A	17	28	1	904	457	379	25	561
MINT	6	8	1	20	8	12	1	29	N/A	N/A	N/A	N/A
OCC	7	10	<1	110	19	25	<1	156	23	24	2	64
TIGTA	2	6	<1	19	19	23	<1	161	208	208	6	409
TTB	2	4	1	20	16	17	1	31	N/A	N/A	N/A	N/A
AGENCY OVERALL	6	12	<1	547	17	33	<1	3018	37	170	2	561

**VII.B. PROCESSED REQUESTS -- RESPONSE TIME FOR PERFECTED REQUESTS IN WHICH INFORMATION WAS GRANTED**

Agency / Component	SIMPLE				COMPLEX				EXPEDITED PROCESSING			
	Median Number of Days	Average Number of Days	Lowest Number of Days	Highest Number of Days	Median Number of Days	Average Number of Days	Lowest Number of Days	Highest Number of Days	Median Number of Days	Average Number of Days	Lowest Number of Days	Highest Number of Days
BEP	20	50	4	175	24	66	4	196	N/A	N/A	N/A	N/A
DO	20	46	1	547	144	235	2	3018	344	344	344	344
FinCEN	2	4	1	20	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
Fiscal Service	12	13	1	57	28	39	7	211	N/A	N/A	N/A	N/A
IRS	N/A	N/A	N/A	N/A	19	32	1	904	491	388	25	561
MINT	6	8	1	19	8	11	4	29	N/A	N/A	N/A	N/A
OCC	7	10.99	<1	110	24.5	38.4	1	156	22	23.85	4	64
TIGTA	19	19	19	19	20	31.24	1	161	207.5	207.5	6	409
TTB	2	4	1	31	25	19	2	31	N/A	N/A	N/A	N/A
AGENCY OVERALL	7	12	<1	547	19	36	<1	3018	33.5	175.5	4	561

**VII.C. PROCESSED SIMPLE REQUESTS -- RESPONSE TIME IN DAY INCREMENTS**

Agency / Component	<1-20 Days	21-40 Days	41-60 Days	61-80 Days	81-100 Days	101-120 Days	121-140 Days	141-160 Days	161-180 Days	181-200 Days	201-300 Days	301-400 Days	401+ Days	TOTAL
BEP	23	7	3	1	0	0	1	0	5	0	0	0	0	40
DO	212	30	15	10	3	4	4	1	3	0	0	1	2	285
FinCEN	303	2	0	0	0	0	0	0	0	0	1	0	0	306
Fiscal Service	218	39	7	0	0	0	0	0	0	0	0	0	0	264
IRS	0	0	0	0	0	0	0	0	0	0	0	0	0	0
MINT	70	0	0	0	0	0	0	0	0	0	0	0	0	70
OCC	1,315	112	24	4	2	1	0	0	0	0	0	0	0	1,458
TIGTA	11	0	0	0	0	0	0	0	0	0	0	0	0	11
TTB	44	0	0	0	0	0	0	0	0	0	0	0	0	44
AGENCY OVERALL	2,196	190	49	15	5	5	5	1	8	0	1	1	2	2,478

**VII.C. PROCESSED COMPLEX REQUESTS -- RESPONSE TIME IN DAY INCREMENTS**

Agency / Component	<1-20 Days	21-40 Days	41-60 Days	61-80 Days	81-100 Days	101-120 Days	121-140 Days	141-160 Days	161-180 Days	181-200 Days	201-300 Days	301-400 Days	401+ Days	TOTAL
BEP	14	5	1	0	1	0	0	0	0	3	0	0	0	24
DO	48	34	22	21	16	10	5	14	3	9	29	14	36	261
FinCEN	54	14	2	1	0	0	0	0	0	0	0	0	2	73
Fiscal Service	14	29	2	3	2	0	0	0	0	0	1	0	0	51
IRS	5,173	1,415	606	242	138	70	68	28	19	15	35	33	34	7,876
MINT	12	2	0	0	0	0	0	0	0	0	0	0	0	14
OCC	61	27	9	5	1	1	2	1	0	0	0	0	0	107
TIGTA	166	48	12	8	3	1	2	1	1	0	0	0	0	242
TTB	32	23	0	0	0	0	0	0	0	0	0	0	0	55
AGENCY OVERALL	5,574	1,597	654	280	161	82	77	44	23	27	65	47	72	8,703

**VII.C. PROCESSED REQUESTS GRANTED EXPEDITED PROCESSING -- RESPONSE TIME IN DAY INCREMENTS**

Agency / Component	<1-20 Days	21-40 Days	41-60 Days	61-80 Days	81-100 Days	101-120 Days	121-140 Days	141-160 Days	161-180 Days	181-200 Days	201-300 Days	301-400 Days	401+ Days	TOTAL
BEP	0	0	0	0	0	0	0	0	0	0	0	0	0	0
DO	0	0	0	0	0	0	0	0	0	0	0	1	0	1
FinCEN	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Fiscal Service	0	0	0	0	0	0	0	0	0	0	0	0	0	0
IRS	0	1	1	0	0	0	0	0	0	0	1	1	6	10
MINT	0	0	0	0	0	0	0	0	0	0	0	0	0	0
OCC	7	6	2	1	0	0	0	0	0	0	0	0	0	16
TIGTA	1	0	0	0	0	0	0	0	0	0	0	0	1	2
TTB	0	0	0	0	0	0	0	0	0	0	0	0	0	0
AGENCY OVERALL	8	7	3	1	0	0	0	0	0	0	1	2	7	29

**VII.D. PENDING REQUESTS -- ALL PENDING PERFECTED REQUESTS**

Agency / Component	SIMPLE			COMPLEX			EXPEDITED PROCESSING		
	Number Pending	Median Number of Days	Average Number of Days	Number Pending	Median Number of Days	Average Number of Days	Number Pending	Median Number of Days	Average Number of Days
BEP	0	N/A	N/A	8	53	75	0	N/A	N/A
DO	56	56	118	385	215	305	1	386	386
FinCEN	0	N/A	N/A	13	28	42	0	N/A	N/A
Fiscal Service	11	10	9	2	334	364	0	N/A	N/A
IRS	0	0	0	896	19	54	3	81	236
MINT	0	N/A	N/A	0	N/A	N/A	0	N/A	N/A
OCC	76	9	12	6	94	124	0	0	0
TIGTA	0	0	0	15	19	31	0	0	0
TTB	0	N/A	N/A	3	3	4	0	N/A	N/A
AGENCY OVERALL	143	9	13.9	1318	20	54.6	4	82	242

**VII.E. PENDING REQUESTS -- TEN OLDEST PENDING PERFECTED REQUESTS**

Agency / Component		10th Oldest Request	9th	8th	7th	6th	5th	4th	3rd	2nd	Oldest Request
BEP	Date of Receipt	N/A	N/A	2015-09-09	2015-09-09	2015-08-20	2015-08-20	2015-06-03	2015-05-11	2015-05-01	2014-11-06
	Number of Days Pending	0	0	15	15	28	28	83	99	105	224
DO	Date of Receipt	2011-08-10	2011-07-27	2011-06-30	2011-05-31	2011-05-09	2011-02-09	2010-07-27	2008-09-18	2008-01-28	2007-03-05
	Number of Days Pending	1040	1050	1068	1090	1105	1167	1301	1765	1929	2155
FinCEN	Date of Receipt	2015-09-18	2015-09-04	2015-08-28	2015-08-21	2015-08-17	2015-07-26	2015-07-06	2015-07-02	2015-04-30	2015-03-13
	Number of Days Pending	9	18	23	28	32	49	62	63	107	141
Fiscal Service	Date of Receipt	2015-09-17	2015-09-16	2015-09-16	2015-09-16	2015-09-11	2015-08-31	2015-08-31	2015-08-24	2013-04-03	2012-10-09
	Number of Days Pending	10	11	11	11	14	22	22	27	628	748
IRS	Date of Receipt	2013-06-24	2013-06-12	2013-06-06	2013-05-28	2013-05-21	2013-05-15	2013-05-14	2013-02-04	2012-08-03	2011-06-07
	Number of Days Pending	570	578	582	589	593	597	598	668	791	1083
MINT	Date of Receipt	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
	Number of Days Pending	0	0	0	0	0	0	0	0	0	0
OCC	Date of Receipt	2015-08-31	2015-08-27	2015-08-19	2015-08-13	2015-07-30	2015-06-01	2015-03-13	2015-02-13	2014-10-30	2014-07-15
	Number of Days Pending	21	23	29	33	43	85	140	159	230	305
TIGTA	Date of Receipt	2015-09-17	2015-09-02	2015-09-02	2015-08-21	2015-08-17	2015-07-10	2015-07-06	2015-06-25	2015-06-09	2015-05-26
	Number of Days Pending	9	19	19	27	31	57	61	67	79	89
TTB	Date of Receipt	N/A	N/A	N/A	N/A	N/A	N/A	N/A	2015-09-25	2015-09-25	2015-09-22
	Number of Days Pending	0	0	0	0	0	0	0	4	4	7
AGENCY OVERALL	Date of Receipt	2011-07-27	2011-06-30	2011-06-07	2011-05-31	2011-05-09	2011-02-09	2010-07-27	2008-09-18	2008-01-28	2007-03-05
	Number of Days Pending	1050	1068	1085	1090	1105	1167	1301	1765	1929	2155

### VIII.A. REQUESTS FOR EXPEDITED PROCESSING

Agency / Component	Number Granted	Number Denied	Median Number of Days to Adjudicate	Average Number of Days to Adjudicate	Number Adjudicated Within Ten Calendar Days
BEP	0	2	4	3	3
DO	1	76	1	3	70
FinCEN	0	4	1	3	4
Fiscal Service	0	14	1	1	14
IRS	15	13	8	9	21
MINT	0	8	1	4	7
OCC	14	4	1	5.56	16
TIGTA	2	8	4	4.6	9
TTB	0	10	1	2	10
AGENCY OVERALL	32	139	1	4	154



**VIII.B. REQUESTS FOR FEE WAIVER**

Agency / Component	Number Granted	Number Denied	Median Number of Days to Adjudicate	Average Number of Days to Adjudicate
BEP	2	1	1	1
DO	67	147	1	2
FinCEN	0	6	1	1
Fiscal Service	4	51	1	3
IRS	98	7	6	11
MINT	1	23	8	8
OCC	4	4	1	7.12
TIGTA	2	2	0.5	0.75
TTB	0	16	1	1
AGENCY OVERALL	178	257	1	2.6

**IX. FOIA PERSONNEL AND COSTS**

Agency / Component	PERSONNEL			COSTS		
	Number of "Full-Time FOIA Employees"	Number of "Equivalent Full-Time FOIA Employees"	Total Number of "Full-Time FOIA Staff"	Processing Costs	Litigation-Related Costs	Total Costs
BEP	0	3.34	3.34	\$278,817.00	\$0.00	\$278,817.00
DO	27	6.76	33.76	\$4,413,459.30	\$174,337.00	\$4,587,796.30
FinCEN	1	0.5	1.5	\$317,708.00	\$0.00	\$317,708.00
Fiscal Service	1	12	13	\$1,108,000.00	\$0.00	\$1,108,000.00
IRS	8.17	67.2	75.37	\$9,582,869.99	\$386,550.09	\$9,969,420.08
MINT	1	0.5	1.5	\$172,072.00	\$0.00	\$172,072.00
OCC	8	4	12	\$1,585,660.00	\$0.00	\$1,585,660.00
TIGTA	0	4.68	4.68	\$580,626.00	\$3,042.00	\$583,668.00
TTB	1	0.48	1.48	\$170,223.12	\$0.00	\$170,223.12
AGENCY OVERALL	47.17	99.46	146.63	\$18,209,435.41	\$563,929.09	\$18,773,364.50

## X. FEES COLLECTED FOR PROCESSING REQUESTS

Agency / Component	Total Amount of Fees Collected	Percentage of Total Costs
BEP	\$752.40	0.27%
DO	\$27,085.90	0.61%
FinCEN	\$0.00	0.00%
Fiscal Service	\$17,409.52	1.57%
IRS	\$76,949.20	0.80%
MINT	\$0.00	0.00%
OCC	\$166,810.00	10.52%
TIGTA	\$55.60	0.01%
TTB	\$12,365.25	7.26%
AGENCY OVERALL	\$301,427.87	1.66%

## XI. FOIA REGULATIONS

The U.S. Department of the Treasury FOIA Implementing Regulations are codified at 31 CFR Part 1, Subpart A, and can also be found at <http://www.treasury.gov/FOIA/Documents/foiaregs.pdf>.

The Financial Stability Oversight Council (FSOC) FOIA Implementing Regulations are codified at 12 CFR Part 1301.

## XII.A. BACKLOGS OF FOIA REQUESTS AND ADMINISTRATIVE APPEALS

Agency / Component	Number of Backlogged Requests as of End of Fiscal Year	Number of Backlogged Appeals as of End of Fiscal Year
BEP	4	0
DO	396	91
FinCEN	8	1
Fiscal Service	3	2
IRS	348	0
MINT	0	0
OCC	8	1
TIGTA	0	2
TTB	0	4
AGENCY OVERALL	767	101

**XII.B. CONSULTATIONS ON FOIA REQUESTS -- RECEIVED, PROCESSED, AND PENDING CONSULTATIONS**

Agency / Component	Number of Consultations Received from Other Agencies that were <u>Pending</u> at the Agency as of <u>Start</u> of the Fiscal Year <sup>5</sup>	Number of Consultations <u>Received</u> from Other Agencies During the Fiscal Year	Number of Consultations Received from Other Agencies that were <u>Processed</u> by the Agency During the Fiscal Year	Number of Consultations Received from Other Agencies that were <u>Pending</u> at the Agency as of <u>End</u> of the Fiscal Year
BEP	0	0	0	0
DO	4	24	19	9
FinCEN	1	30	31	0
Fiscal Service	0	3	3	0
IRS	59	147	182	24
MINT	0	0	0	0
OCC	0	0	0	0
TIGTA	1	2	2	1
TTB	0	1	0	1
AGENCY OVERALL	65	207	237	35

<sup>5</sup> The number of consultations pending at the start of the fiscal year was updated from last year's report for DO, Fiscal Service, and IRS: DO decreased by one, Fiscal Service decreased by 10, and IRS decreased by 14.

**XII.C. CONSULTATIONS ON FOIA REQUESTS -- TEN OLDEST CONSULTATIONS RECEIVED FROM OTHER AGENCIES AND PENDING AT THE AGENCY**

Agency / Component		10th Oldest Consultation	9th	8th	7th	6th	5th	4th	3rd	2nd	Oldest Consultation
BEP	Date	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
	Number of Days	0	0	0	0	0	0	0	0	0	0
DO	Date	N/A	2015-08-07	2015-06-09	2015-05-22	2015-04-01	2015-03-24	2015-02-10	2014-08-05	2014-06-17	2014-05-13
	Number of Days	0	38	80	91	128	134	163	292	327	352
FinCEN	Date	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
	Number of Days	0	0	0	0	0	0	0	0	0	0
Fiscal Service	Date	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
	Number of Days	0	0	0	0	0	0	0	0	0	0
IRS	Date	2015-08-31	2015-08-28	2015-08-28	2015-08-25	2015-08-25	2015-08-24	2015-08-21	2015-08-17	2015-08-11	2015-08-07
	Number of Days	21	22	22	25	25	26	27	31	35	37
MINT	Date	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
	Number of Days	0	0	0	0	0	0	0	0	0	0
OCC	Date	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
	Number of Days	0	0	0	0	0	0	0	0	0	0
TIGTA	Date	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	2015-06-09
	Number of Days	0	0	0	0	0	0	0	0	0	79
TTB	Date	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	2015-09-25
	Number of Days	0	0	0	0	0	0	0	0	0	4
AGENCY OVERALL	Date	2015-08-07	2015-06-09	2015-06-09	2015-05-22	2015-04-01	2015-03-24	2015-02-10	2014-08-05	2014-06-17	2014-05-13
	Number of Days	38	79	80	91	128	134	163	292	327	352

**XII.D.(1). COMPARISON OF NUMBERS OF REQUESTS FROM PREVIOUS AND CURRENT ANNUAL REPORT -- REQUESTS RECEIVED AND PROCESSED**

Agency / Component	NUMBER OF REQUESTS <u>RECEIVED</u>		NUMBER OF REQUESTS <u>PROCESSED</u>	
	Number Received During Fiscal Year from Last Year's Annual Report	Number Received During Fiscal Year from Current Annual Report	Number Processed During Fiscal Year from Last Year's Annual Report	Number Processed During Fiscal Year from Current Annual Report
BEP	88	82	83	83
DO	732	771	946	627
FinCEN	284	392	277	390
Fiscal Service	292	327	306	327
IRS	10,454	10,197	10,109	10,416
MINT	119	95	131	96
OCC	1,806	1,638	1,801	1,634
TIGTA	282	312	287	308
TTB	50	108	50	106
AGENCY OVERALL	14,107	13,922	13,990	13,987

**XII.D.(2). COMPARISON OF NUMBERS OF REQUESTS FROM PREVIOUS AND CURRENT ANNUAL REPORT -- BACKLOGGED REQUESTS**

Agency / Component	Number of Backlogged Requests as of End of the Fiscal Year from Previous Annual Report	Number of Backlogged Requests as of End of the Fiscal Year from Current Annual Report
BEP	6	4
DO	267	396
FinCEN	1	8
Fiscal Service	2	3
IRS	317	348
MINT	0	0
OCC	5	8
TIGTA	2	0
TTB	1	0
AGENCY OVERALL	601	767



**XII.E.(1). COMPARISON OF NUMBERS OF ADMINISTRATIVE APPEALS FROM PREVIOUS AND CURRENT ANNUAL REPORT -- APPEALS RECEIVED AND PROCESSED**

Agency / Component	NUMBER OF APPEALS <u>RECEIVED</u>		NUMBER OF APPEALS <u>PROCESSED</u>	
	Number Received During Fiscal Year from Last Year's Annual Report	Number Received During Fiscal Year from Current Annual Report	Number Processed During Fiscal Year from Last Year's Annual Report	Number Processed During Fiscal Year from Current Annual Report
BEP	8	4	8	4
DO	16	26	16	9
FinCEN	11	16	8	16
Fiscal Service	14	18	13	17
IRS	184	236	188	240
MINT	6	2	6	2
OCC	28	10	22	18
TIGTA	27	20	26	21
TTB	0	0	0	0
AGENCY OVERALL	294	332	287	327

**XII.E.(2). COMPARISON OF NUMBERS OF ADMINISTRATIVE APPEALS FROM PREVIOUS AND CURRENT ANNUAL REPORT -- BACKLOGGED APPEALS**

Agency / Component	Number of Backlogged Appeals as of End of the Fiscal Year from Previous Annual Report	Number of Backlogged Appeals as of End of the Fiscal Year from Current Annual Report
BEP	0	0
DO	63	91
FinCEN	3	1
Fiscal Service	0	2
IRS	4	0
MINT	0	0
OCC	2	1
TIGTA	0	2
TTB	0	4
AGENCY OVERALL	72	101